

THURSDAY, FEBRUARY 16, 1995

TENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Father John B. McArthur, St. Paul the Apostle Church, Memphis, Tennessee.

Representative Bowers led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98
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Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Bittle; legislative purposes.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate committee:

* House Joint Resolution No. 82 -- Memorials, Congress - Makes application for federal constitutional convention for purpose of proposing amendment to U.S. Constitution to enumerate and clarify rights and powers reserved for several states by Tenth Amendment. by *McDaniel.
State and Local Government Committee

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***House Joint Resolution No. 83** --- General Assembly, Statement of Intent or Position - Claims sovereignty for Tennessee from federal mandates that are beyond scope of federal government's constitutional powers given by Tenth Amendment. by *McDaniel.

State and Local Government Committee

***House Joint Resolution No. 84** -- Historical Sites - Directs department of environment and conservation, division of archeology, to develop plan concerning significant shipwreck sites in state. by *McDaniel.

Conservation and Environment Committee

***House Joint Resolution No. 85** -- Memorials, Sports -- "James 'Little Man' Stewart," March 3, 1995. by *Ford.

Calendar and Rules Committee

***House Joint Resolution No. 89** -- General Assembly, Studies - Creates special joint committee to study women's health issues. by *Chumney.

Health and Human Resources Committee

***House Joint Resolution No. 90** -- Memorials, Government Officials - Memorializes UT board of trustees to establish center of excellence for women's health at UT Memphis Health Services Center. by *Chumney.

Education Committee

***House Joint Resolution No. 91**-- Naming and Designating - "Breast Cancer Awareness Month," October; "Breast Exam and Mammography Awareness Day," October 19, 1995. by *Chumney.

Health and Human Resources Committee

House Resolution No. 15-- General Assembly, Studies - Creates special house committee to study public transportation needs of inner city residents. by *Brooks, *Turner (Shelby), *Towns, *Langster, *Armstrong, *Brown, *Jones R (Shelby), *Jones U (Shelby), *Miller, *Pruitt, *Bowers.

Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, February 22, 1995:

House Resolution No. 16 -- Memorials, Recognition and Thanks -- Perry County Courthouse, National Register of Historic Places. by *Peach.

House Joint Resolution No. 88 -- Memorials, Public Service -- MADDADS. by *Jones U (Shelby).

House Joint Resolution No. 92 -- Memorials, Academic Achievement -- Amber Willson, first place winner of GFWC Suburbia Woman's Club short story contest. by *Gunnels.

House Joint Resolution No. 93 -- Memorials, Personal Occasion - Mr. and Mrs. Joe K. Thomas, Jr., 50th Anniversary. by *Ramsey.

House Joint Resolution No. 94 -- Memorials, Professional Achievement -- James H. Boyd, "Principal of the Year." by *Jones R (Shelby).

House Joint Resolution No. 100 -- Memorials, Professional Achievement - Larry D. Cox, 1994 Airport Manager of the Year. by *DeBerry L, Naifeh, Chumney, Purcell.

House Joint Resolution No. 101 -- Memorials, Death -- Melissa Dawn Brumbelow, James Dunham, and Dean Ivan Gillespie. by *Rhinehart.

House Joint Resolution No. 102 -- Memorials, Public Service - Representative I.V. Hillis. by *Rhinehart.

House Joint Resolution No. 103 -- Memorials, Professional Achievement -- Dr. John E. Maupin, Jr., President of Meharry Medical College. by *Armstrong, *Miller, *Bowers, *Brown, *Jones R (Shelby), *DeBerry L, *DeBerry J, *Turner (Shelby), *Towns.

House Joint Resolution No. 104 -- Memorials, Sports - Soddy-Daisy High School band, 1994 Peach Bowl participant. by *Stulce.

House Joint Resolution No. 105 -- Memorials, Professional Achievement - Barge, Waggoner, Sumner and Cannon, Inc. by *Purcell, *Rhinehart.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 22, 1995:

Senate Joint Resolution No. 46 -- Memorials, Public Service -- Grace Ford; 40 years of volunteer service, Clarksville Memorial Hospital. by *Rice.

Senate Joint Resolution No. 47 -- Memorials, Retirement -- Henry Shelby, Tennessee Tech University, Director of Campus Development. by *Burks, *Kyle.

Senate Joint Resolution No. 50 -- Memorials, Professional Achievement -- Nolan R. Turner, recipient of Distinguished Agriculture Alumnus Award. by *Burks, *Kyle.

Senate Joint Resolution No. 52 -- Memorials, Congratulations -- David Gregory, Chief of Staff for Lt. Governor. by *McNally, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Dixon, *Elsa, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood,

*Miller, *O'Brien, *Person, *Rice, *Rochelle, *Springer, *Wallace,
*Wilder, *Womack, *Wright.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 49 -- General Assembly, Adjournment, Recess -- Provides for adjournment of 99th General Assembly on March 30, 1995. by *Burks.

Held on House Desk.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1233 -- Education -- Authorizes education oversight committee to review testing and evaluation procedures in grades K-12. Amends TCA Title 3, Chapter 15, Part 3. by *Davidson.

***House Bill No. 1234** -- Education -- Allows instructional time accrued by public or private schools in excess of 6.5 hours per day to be used for staff development time as well as making up days lost to bad weather. Amends TCA Section 49-6-3004. by *Davidson.

House Bill No. 1235 -- Education -- Reduces age of compulsory school attendance from 17 to 16. Amends TCA Title 49, Chapter 6, Part 30. by *Davidson.

House Bill No. 1236 -- Traffic Safety -- Purports to change certain highway speeding offenses by changing present law from is a Class C misdemeanor to shall be a Class C misdemeanor; makes speeding offenses in business, urban or residential districts Class B misdemeanor. Amends TCA Section 55-8-152 and 153. by *Windle.

***House Bill No. 1237** -- Highway Signs -- "Paul L. Brandon Memorial Bridge," Bradyville Road, Cannon County. by *Buck.

***House Bill No. 1238** -- Highway Signs -- Direct department of transportation to include "The Volunteer State" on welcome signs as such signs are replaced or modified. Amends TCA Title 54. by *Ridgeway.

House Bill No. 1239 -- Motor Vehicles -- Creates Class B misdemeanor of permitting immediate family member to drive without driver license; authorizes impoundment of vehicle of person who drives on suspended or revoked license. Amends TCA Title 55, Chapter 4 and Title 55, Chapter 50. by *Herron.

House Bill No. 1240 -- Weakley County -- Subject to local approval, removes requirement that county attorney serve as delinquent tax attorney, permitting such attorney to be employed in that capacity separate and apart from regular duties with county. Amends Chapter 559, Private Acts of 1951. by *Herron.

House Bill No. 1241 -- Juries and Jurors -- Revises employer responsibilities when employee called for jury service. Amends TCA Section 22-1-103 and Section 22-4-108. by *Herron.

House Bill No 1242 -- Public Defenders -- Authorizes metropolitan government with public defender office to charge non custodial defendant \$15.00 application fee; authorizes public defender to waive fee for persons who cannot pay. Amends TCA Title 7, Chapter 3. by *Arriola, *Garrett.

House Bill No. 1243 -- Advertising -- Requires state and local governments to issue permits for replacement of nonconforming billboards upon removal of original structure; permit to be issued for 18 months. Amends TCA Section 54-21-116(b). by *Arriola, *Robinson, *Buck, *Bragg, *Lewis, *Pinion, *Stamps, *Halteman Harwell, *Phelan.

House Bill No. 1244 -- State Symbols -- Designates Tennessee cave salamander as state amphibian and eastern box turtle as state reptile. Amends TCA Title 4, Chapter 1, Part 3. by *Arriola.

House Bill No 1245 -- Civil Procedure -- Provides that proceeds of confiscations and forfeitures under drug laws produced as result of local law enforcement agency be paid to local government, such funds allocated to pay final judgments against local law enforcement agencies prior to allocation by legislative body. Amends TCA Section 53-11-204. by *Armstrong, *Turner (Shelby).

House Bill No. 1246 -- Civil Procedure -- Provides that proceeds of confiscations and forfeitures under drug laws produced as result of local law enforcement agency be paid to the local government,; authorizes appropriation to any public purpose with priority given to victim's rights and neighborhood watches. Amends TCA Section 53-11-204. by *Armstrong, *Turner (Shelby).

House Bill No. 1247 -- Highway Signs -- "Salem Cemetery Battlefield," I-40, Exit 85. by *McDaniel.

House Bill No. 1248 -- Hospitals and Health Care Facilities -- Lowers nursing home minimum freezer temperature from 20 degrees F to ten degrees F; authorizes department of health to establish per diem costs for nursing facilities rather than for intermediate care facilities only. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel, *Kisber.

House Bill No. 1249 -- Hospitals and Health Care Facilities -- Lowers minimum nursing home freezer temperatures from 20 degrees F to 15 degrees F; authorizes department of health to establish per diem costs for nursing facilities rather than for intermediate care facilities only. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel, *Kisber.

House Bill No. 1250 -- Hospitals and Health Care Facilities -- Raises minimum nursing home freezer temperature from 20 to 25 degrees F; authorizes department of health to establish per diem costs for nursing facilities, rather than for intermediate care facilities only. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel, *Kisber.

House Bill No. 1251 -- Hospitals and Health Care Facilities -- Raises minimum nursing home freezer temperature from 20 to 25 degrees F; authorizes department of health to establish per diem costs for nursing facilities, rather than for intermediate care facilities only. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel, *Kisber.

House Bill No. 1252 -- Welfare -- Changes deadline for commissioner of human services to report to governor and general assembly concerning results of annual market rate study of day care rates. Amends TCA Title 71. by *McDaniel.

House Bill No. 1253 -- Penal and Reformatory Institutions -- Authorizes county legislative body to appoint not more than five residents rather than three householders or freeholders to act as jail inspectors. Amends TCA Title 41. by *McDaniel.

House Bill No. 1254 -- Taxes -- Changes time period for notifying assessor and paying taxes after selling or terminating business from 15 to 20 days. Amends TCA Title 67. by *McDaniel.

House Bill No. 1255 -- Sentencing -- Changes from 10 days to 15 days prior to sentencing hearings the time which the pre sentence report for a convicted misdemeanor must be filed with the clerk of the court. Amends TCA Title 40. by *McDaniel.

House Bill No. 1256 -- Criminal Procedure -- Decreases from 90 to 85 days time period after final judgment for trial court to certify record relating to punishment in case where defendant who was sentenced to death has not appealed conviction. Amends TCA Titles 38, 39, 40. by *McDaniel.

House Bill No. 1257 -- Pensions and Retirement Benefits -- Defines school food service supervisors as teachers for purposes of TCRS. Amends TCA Title 8, Chapter 34, Part 1. by *McDaniel.

House Bill No. 1258 -- Hospitals and Health Care Facilities -- Directs birthing institutions to, upon request, provide individual counseling to unmarried parents concerning benefits, rights, and responsibilities of establishing paternity for newborns. Amends TCA Titles 24, 36, 37, 68, 71. by *McDaniel.

House Bill No. 1259 -- Hospitals and Health Care Facilities -- Permits licensed practical nurses employed by licensed nursing homes to provide respiratory care under supervision of registered nurse or licensed physician. Amends TCA Section 63-6-410. by *McDaniel.

House Bill No. 1260 -- Hospitals and Health Care Facilities -- Permits licensed practical nurses employed by licensed nursing homes to provide respiratory care under supervision of registered nurse or licensed physician. Amends TCA Section 63-6-410. by *McDaniel.

House Bill No. 1261 -- Children, Employment of -- Revises hours in which minors may be employed; repeals requirement that minors receive break during work period. Amends TCA Title 50, Chapters 5 and 6. by *McDaniel.

House Bill No. 1262 -- Workers' Compensation -- Authorizes commissioner to require all financial reporting and examinations of

self insurer pools be done in accordance with generally accepted accounting principles. Amends TCA 50-6-405. by *McDaniel.

House Bill No. 1263 -- Judgments -- Establishes interest rate on judgments to be 2 percent above average prime loan rate rather than fixed 10 percent rate; establishes method for calculating interest on verdicts. Amends TCA Title 47, Chapter 14. by *McDaniel.

House Bill No. 1264 -- Historical Sites -- Adds items submerged in waterways to archaeology laws. Amends TCA Title 11, Chapter 6. by *McDaniel.

House Bill No. 1265 -- Historical Sites -- Includes shipwrecks in archaeology laws. Amends TCA Title 11, Chapter 6. by *McDaniel.

House Bill No. 1266 -- Sexual Offenses -- Adds to list that convicted persons are required to furnish biological specimen for DNA analysis, persons convicted of rape of child; allows use of DNA data in investigation of future child rapes. Amends TCA 38-6-113, 40-35-321. by *McDaniel.

House Bill No. 1267 -- Criminal Offenses -- Adds persons convicted of rape of child or offense during which firearm was used to list of persons required to furnish biological specimens for DNA analysis; allows such DNA data to be used in future investigations of such offenses. Amends TCA Title 38, Chapter 6, Part 1 and Title 40, Chapter 35, Part 3. by *McDaniel.

House Bill No. 1268 -- Employees, Employers -- Provides civil immunity to employer who, in response to reference request about current or former employee, supplies fair and unbiased information. TCA Title 50, Chapter 1. by *McDaniel.

House Bill No. 1269 -- Taxes, Privilege -- Lowers occupational privilege tax for part time practitioners from \$200 to \$95; authorizes payment of occupational privilege tax to be made bimonthly, quarterly or annually; requires employers which pay regular salary to persons subject to occupational privilege tax to pay one half of such tax. Amends TCA Title 67, Chapter 4, Part 17. by *McDaniel.

House Bill No. 1270 -- Contractors -- Reduces notice requirement from ten to seven days when qualifying agent of alarm systems contractor ceases to perform such agent's duties. Amends TCA Title 62, Chapter 32, Part 3. by *Garrett.

House Bill No. 1271 -- Contractors -- Excludes contractors from alarm systems licensing requirements if such contractors deliver less than 45 percent of gross annual revenues from sales, monitoring installation and monitoring services of alarm systems. Amends TCA Title 62, Chapter 32, Part 3. by *Garrett.

House Bill No. 1272 -- Contractors -- Increases civil penalty for contracting without license violations from \$50.00 - \$1,000 to \$100 -- \$1,500. Amends TCA Title 62. by *Garrett.

House Bill No. 1273 -- Attorneys at Law -- Prohibits attorneys from contacting injured persons within 30 days of date of injury for purpose of solicitation; violation is Class C misdemeanor. Amends TCA Title 23, Chapter 3, Part 1. by *Herron.

***House Bill No. 1274** -- Motor Vehicles -- Changes reporting date for motor vehicle dealer to report previous year's sales from February 15 to March 1. Amends TCA Title 55, Chapter 17, Part 1. by *Windle.

House Bill No. 1275 -- Oliver Springs -- Subject to local approval, revises city charter by redrawing ward districts. Amends Chapter 247, Acts of 1905, as amended. by *Cantrell.

House Bill No. 1276 -- Recreation -- Enacts "Tennessee Recreation Initiative Program of 1995." Amends TCA Title 11, Chapter 9. by *Williams (Union), *Walley.

House Bill No. 1277 -- Taxes, Gasoline, Petroleum Products -- Defines "solid/industrial waste hauler"; gives 35 percent tax refund to solid /industrial waste haulers using diesel fuel if vehicle uses power take off and compactor operated from same fuel supply. Amends TCA Title 67, Chapter 3, Part 5. by *Kisber.

House Bill No. 1278 -- Gas, Petroleum Products, Volatile Oils - - Empowers division of energy to promote research and development of collection, conversion and use of methane gas. Amends TCA Title 4, Chapter 3, Part 7. by *Stulce.

House Bill No. 1279 -- Environment and Conservation, Department of -- Requires department to award competitive grants to counties, municipalities or commercial solid waste facilities from solid waste management fund to develop methane gas as alternative energy source. Amends TCA Title 68, Chapter 221, Part 8. by *Stulce.

House Bill No. 1280 -- Aircraft and Airports -- Requires municipality seeking to use land located outside territorial limits to develop airport to gain approval of appropriate local government before proceeding. Amends TCA Title 42, Chapter 5. by *Newton.

House Bill No. 1281 -- Criminal Offenses -- Criminalizes assaulting public servants engaged in performance of duties; assigns penalties ranging from Class A felony to Class B misdemeanor depending on injuries sustained to persons or property. Amends TCA Title 39, Chapter 16, Part 5. by *West, *Jones U (Shelby), *Towns.

House Bill No. 1282 -- Firefighters -- Creates presumption than any law enforcement officer, firefighter or paramedic who contracts AIDS, hepatitis or tuberculosis did so in the course of employment and in the line of duty. Amends TCA Section 7-51-201. by *West, *Jones U (Shelby), *Towns.

House Bill No. 1283 -- Pensions and Retirement Benefits -- Increases board of trustees of retirement system from 18 to 19; adds vested member of TCRS who is firefighter to be appointed by governor from list of three nominees of Tennessee Firefighters Association to board of trustees to serve for 2 years. Amends TCA 8-34-202. by *West.

House Bill No. 1284 -- Election Laws -- Increases base minimum yearly salary of any registrar at large in Davidson or Shelby County from 65 to 80 percent of salary of such county's assessor of property. Amends TCA 2-12-208. by *West.

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House Bill No. 1285 -- Drugs -- Deletes requirement district attorney general sign all requests for disbursements of drug funds arising out of drug fines and forfeitures of appearance bonds. Amends TCA Section 39-17-420. by *West.

House Bill No. 1286 -- TennCare -- Adds departments of finance and administration and commerce and insurance to list of state agencies from which select oversight committee on TennCare receives assistance and information. Amends TCA Title 3, Chapter 15, Part 5. by *Joyce.

***House Bill No. 1287** -- Tennessee Bureau of Investigation -- Designates TBI as state fraud control unit to investigate criminal fraud in TennCare program in same manner and to same extent claims are investigated in Medicaid program as required by federal law. Amends TCA Title 38, Chapter 6. by *Joyce.

House Bill No. 1288 -- Hospitals and Health Care Facilities -- Lowers nursing home minimum freezer temperature from 20 degrees F to ten degrees F; authorizes department of health to establish per diem costs for nursing facilities rather than for intermediate care facilities only. Amends TCA Title 68, Chapter 11 and Title 71, Chapter 5. by *McDaniel, *Kisber.

House Bill No. 1289 -- Civil Procedure -- Allows evidence of non use of seat belt in personal injury claim as well as products liability claim. Amends TCA Section 55-9-604(a)(1). by *Bragg, *Eckles, *Roach, *Napier, *Brooks, *Newton.

House Bill No. 1290 -- Tort Liability -- Deletes provision allowing evidence of failure to wear seat belt to be admitted in civil trial under certain circumstances. Amends TCA 55-9-604. by *Bragg, *Eckles, *Roach, *Napier, *Brooks, *Newton.

House Bill No. 1291 -- Game and Fish Laws -- Authorizes TWRA to issue new hunting permit for Reelfoot waterfowl blind for \$50.00. Amends TCA 70-2-219(a). by *Pinion.

House Bill No. 1292 -- Utilities, Utility Districts -- Expands time by which board of commissioners is required to select nominees to fill vacant commissioner position, from two to three weeks after such vacancy occurs. Amends TCA Title 7, Chapter 82. by *Windle.

House Bill No. 1293 -- Civil Procedure -- Allows jury selection from another county upon motion for change of venue. Amends TCA Title 20, Chapter 4, Part 2. by *Windle.

House Bill No. 1294 -- Hamilton County -- Subject to local approval, creates two new divisions of general sessions court. Amends Chapter 6, Private Acts of 1941, as amended. by *Stulce, *McAfee, *Wood.

House Bill No. 1295 -- Utilities, Utility Districts -- Transfers responsibility over water and waste water treatment authority from board to county executive in Hamilton County. Amends TCA Title 5, Chapter 6. by *Stulce.

House Bill No. 1296 -- Taxes, Real Property -- Raises income threshold from \$10,000 to \$12,000 at which elderly and disabled

persons may qualify for property tax relief. Amends TCA Title 67, Chapter 5. by *Stulce.

House Bill No. 1297 -- Inheritance Laws -- Clarifies rights of individuals conceived of in vitro fertilization. by *Buck.

House Bill No. 1298 -- Veterinarians -- Provides that veterinarians who supervise health department sponsored rabies clinics not subject to suit arising from such supervision. Amends TCA Title 68, Chapter 8. by *Hargrove.

House Bill No. 1299 -- Health, Dept. of -- Removes authority of commissioner of health to promulgate public necessity rules to implement federal waiver or state plan amendments for TennCare under Medicaid program. Amends TCA Section 71-5-134. by *Hargrove.

House Bill No. 1300 -- District Attorneys -- Adds two assistant district attorney general positions to 20th judicial district. Amends TCA Title 16, Chapter 2, Part 5. by *Hargrove.

House Bill No. 1301 -- District Attorneys -- Authorizes district attorneys general to appoint assistant victim witness coordinators in order to carry out statutory duties of victim-witness coordinator as well as duties under Victims Bill of Rights and Victims Impact Statement Act. Amends TCA Section 8-7-206. by *Hargrove.

House Bill No. 1302 -- District Attorneys -- Adds three criminal investigators or certified paralegal positions to district attorney general of 1st judicial district. Amends TCA Title 16, Chapter 2, Part 5. by *Hargrove.

House Bill No. 1303 -- Insurance Companies, Agents, Brokers -- Clarifies that licensed insurance agent may serve on board of insurance company. Amends TCA Title 56. by *Hargrove.

House Bill No. 1304 -- Real Property -- Reenacts statutory language to compromise and settle tax liens, special assessments and other similar liens, on insolvent property. Amends TCA Title 67, Chapter 5. by *Boyer.

House Bill No. 1305 -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for graduates of Arkansas State University. Amends TCA Title 55, Chapter 4. by *Hassell.

***House Bill No. 1306** -- Cocke County -- Subject to local approval, provides for licensure and regulation of commercial outfitters, authorizes privilege tax on use of watercraft on those portions of Pigeon and French Broad Rivers. by *Davis.

House Bill No. 1307 -- Banks and Financial Institutions - Reduces residency requirement for pawnbrokers from two years to one year. Amends TCA Title 45, Chapter 6. by *Davis.

House Bill No. 1308 -- Loan Companies -- Sets out procedure for pawnbrokers relative to liens upon automobiles; reduces holding period for pledges. Amends TCA Title 45. by *Davis.

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House Bill No. 1309 -- Bail, Bail Bonds -- Allows member of county legislative body to be bail bondsman. Amends TCA Section 40-11-1313. by *Ford, *Stamps, *Sharp.

House Bill No. 1310 -- Managed Care Organizations -- Enacts "The Preferred Provider Organizations Act of 1995." Amends TCA Title 56. by *Walley.

House Bill No. 1311 -- Health -- Enacts "The Patient Protection and Utilization Review Act of 1995." Amends TCA Title 56, Chapter 6, Part 7. by *Walley.

House Bill No. 1312 -- Codes -- Requires counties and cities to give notice of all rules and regulations that must be satisfied at time building permit is issued or the local government will be unable to cite person for violation. Amends TCA Title 5, Chapter 20 and Title 6, Chapter 54. by *Walley.

***House Bill No. 1313** -- Physicians and Surgeons -- Clarifies that physicians who pay for goods and services on percentage basis are not unlawfully dividing fees. Amends TCA Section 63-6-204; Section 63-6-225 and Section 68-11-205. by *Walley.

House Bill No. 1314 -- Parks, Natural Areas Preservation -- Removes right of persons over 65 to play golf for free on Mondays on state park courses operated by private management company or municipal or county government with direct financial risk in operations of course. Amends TCA Title 11, Chapter 3, Part 1. by *Walley.

House Bill No. 1315 -- Criminal Offenses -- Makes casual exchange or simple possession of Schedule I controlled substance Class C felony rather than Class A misdemeanor. Amends TCA Section 39-17-418. by *Patton.

House Bill No. 1316 -- Employment Security, Dept. of -- Authorizes department to file lien to encumber business owner's property while action for payment under protest proceeds before Tennessee claims commission; suspends all other collection actions. Amends 50-7-404. by *Patton.

House Bill No. 1317 -- Gas, Petroleum Products, Volatile Oils - - Requires department to prorate tank fees for underground storage tanks removed from ground, retroactive to July 1, 1995. Amends TCA Title 68, Chapter 215, Part 1. by *Pinion.

***House Bill No. 1318** -- Taxes, Privilege -- Lowers occupational privilege tax for part time practitioners from \$200 to \$95; authorizes payment of occupational privilege tax to be made bimonthly, quarterly or annually; requires employers which pay regular salary to persons subject to occupational privilege tax to pay one half of such tax. Amends TCA Title 67, Chapter 4, Part 17. by *Halteman Harwell, *Stamps.

House Bill No. 1319 -- Taxes, Income -- Except persons permanently confined to wheelchairs or bedridden from Halls Income Tax. Amends TCA Title 67, Chapter 2. by *Halteman Harwell, *Stamps.

House Bill No. 1320 -- Physicians and Surgeons -- Permits notarized copies to be used as acceptable documentation for licensure

of residents. Amends TCA Section 63-6-207. by *Turner (Hamilton), *Wood, *Armstrong, *Pruitt, *Turner (Shelby).

House Bill No. 1321 -- Medical Occupations -- Raises from 18 to 21 age person must be if applying for licensure as professional counselor. Amends TCA Title 63, Chapter 22 and Title 71, Chapter 5. by *Turner (Hamilton).

House Bill No. 1322 -- Animals -- Authorizes any agent of a humane society to institute criminal charges against any person who violates the laws pertaining to cruelty to animals; present law authorizes such agents within county in which appointed by president of society to make arrest and bring offenders before court. Amends TCA Title 39, Chapter 14, Part 2. by *Halteman Harwell, *Buck.

House Bill No. 1323 -- Taxes -- Allows trustees of charitable remainder trust to report amount of taxable income to resident beneficiaries rather than to make returns for such beneficiaries; permits Tennessee trustees who receive income for non Tennessee beneficiaries to not pay tax on income delivered from stocks and bonds; however, executors or administrators who receive income from stocks and bonds which belonged to Tennessee decedent must pay taxes on such income until the stocks and bonds are distributed to heirs. Amends TCA Section 67-2-110. by *Fowlkes.

House Bill No. 1324 -- Probate Law -- Permits use of printed statements rather than canceled checks in situations in which estate's personal representative is bank, savings and loan association or credit union and in situations in which financial institution used does not return canceled checks; clarifies the types of fiduciaries who may disclaim interest in gift or who may be beneficiary. Amends TCA Title 30; 30-2-601; Title 31; 31-1-103; Title 34; 34-6-203; Title 35; 35-50-107; Titles 45, 67; 45-3-514; 45-4-405; 67-2-110; 67-4-409. by *Fowlkes.

House Bill No. 1325 -- Workers' Compensation -- Rewrites legislative intent for statutory construction of workers' compensation law Amends TCA Section 50-6-116. by *Cole (Dyer).

House Bill No. 1326 -- Workers' Compensation -- Replaces judicial determination of workers' compensation cases with administrative mechanism in department of labor with judicial review; revises standards for determining differing levels of disability. Amends TCA Title 50 and Title 56. by *Cole (Dyer).

House Bill No. 1327 -- Environmental Preservation -- Enacts "Tennessee Drycleaner's Environmental Response Act." Amends TCA Section 4-29-218 and Title 68. by *Fowlkes.

House Bill No. 1328 -- Guardianship -- Changes from 18 to 21 age at which guardianship of minor terminates unless person for whom guardian was appointed shows good cause to court why guardianship should terminate earlier than 21. Amends TCA Title 34. by *Buck.

House Bill No. 1329 -- Insurance, Health, Accident -- Authorizes health insurance insurer and insured to contractually waive insured's statutory right to purchase health insurance coverage for unborn child if and only if insured or insured's spouse is pregnant

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with unborn child at time insured initially purchases coverage. Amends TCA Title 56, Chapter 7, Part 23. by *Odom.

House Bill No. 1330 -- County Government -- Makes county executive chair of county legislative body at option of county executive. Amends TCA 5-5-103(b)(1). by *Odom.

House Bill No. 1331 -- Tennessee Wildlife Resources Agency -- Authorizes TWRA to participate in federal wetlands mitigation banking program. Amends TCA 70-1-302. by *Odom.

***House Bill No. 1332** -- Solid Waste Disposal -- Prohibits party that participates in voluntary environmental audit, investigation or cleanup from limiting disclosure of nature or extent of such audit, investigation or cleanup. Amends TCA Title 68, Chapter 212, Part 2. by *Odom.

House Bill No. 1333 -- Local Government, General -- Authorizes county and city firefighters and emergency personnel to enter into binding memoranda of understanding with local governments. by *Odom.

House Bill No. 1334 -- Election Laws -- Permits local government employees to be political candidates for state or local office and to participate in political activities. by *Odom.

House Bill No. 1335 -- Insurance, Health, Accident -- Provides for reimbursement on insured or other person entitled to benefits under policy of insurance for services rendered by duly licensed nurse. Amends TCA Title 56, Chapter 7, Part 24. by *Odom, *Halteman Harwell, *Ridgeway, *Brown.

House Bill No. 1336 -- Environment and Conservation, Department of -- Increases number of members on air control board from 11 to 12; increases number of citizen members on water quality control board from five to six. Amends TCA 68-201-104, 69-3-104. by *Odom, *Cross, *Callicott, *Williams (Williamson), *Jones S, *Kernell.

House Bill No. 1337 -- Civil Procedure -- Enacts "Tennessee Anti-SLAPP Act of 1995." by *Odom.

House Bill No. 1338 -- Medical Occupations -- Provides for licensure of home medical equipment providers. Amends TCA Title 68, Chapter 11, Part 1 and Title 68, Chapter 11, Part 2. by *Odom.

House Bill No. 1339 -- Nurses, Nursing -- Includes certain licensed nurses and licensed respiratory care therapists within application of Tennessee Medical Laboratory Act. Amends TCA Title 68. by *Odom.

House Bill No. 1340 -- Architects and Engineers -- Requires all licenses of architects, engineers, landscape architects and interior designers to be renewed every two years. Amends TCA Section 62-2-307. by *Garrett.

House Bill No. 1341 -- Architects and Engineers -- Authorizes board of architects, engineers and landscape architects to employ executive director who shall report to board. Amends TCA Section 62-2-205. by *Garrett.

House Bill No. 1342 -- Architects and Engineers -- Authorizes board of architects, engineers, landscape engineers, and interior designers to promulgate rules relative to continuing education requirements. Amends TCA Section 62-2-203. by *Garrett.

House Bill No. 1343 -- Architects and Engineers -- Creates positions of associate engineer members to assist board of architects, engineers, landscape architects, and interior designers. Amends TCA Section 62-2-201. by *Garrett.

House Bill No. 1344 -- Architects and Engineers -- Revises plans, specifications and reports which are required to have engineer's or architect's stamp. Amends TCA Title 62, Chapter 2. by *Garrett.

House Bill No. 1345 -- Architects and Engineers -- Requires report from architect, engineer or landscape engineer that reasonable cause for malpractice exists before action for malpractice against architect, engineer or landscape engineer can be filed in court. by *Garrett.

House Bill No. 1346 -- Constitutional Conventions -- Calls constitutional convention relative to taxation, county government and establishment of counties, method for proposing amendments and lotteries. by *Kernell.

House Bill No. 1347 -- Education, Higher -- Permits out of state students to attend certain Tennessee institutions of higher education under certain conditions without paying out of state tuition. Amends TCA Title 49. by *Winningham.

House Bill No. 1348 -- Pensions and Retirement Benefits -- Authorizes retired members of TCRS to claim prior service for part time employment and political subdivision service on same basis as other members of TCRS. Amends TCA Section 8-34-621 and Section 8-35-236. by *Winningham.

House Bill No. 1349 -- Education -- Enacts "Adult Functional Literacy Act"; makes appropriations for such program. Amends TCA Title 49. by *Winningham.

House Bill No. 1350 -- Charitable Solicitations -- Decreases time for authorizing documentation to be filed with secretary of state by solicitor from 30 to 15 days. Amends TCA Title 48, Chapter 3, Part 5. by *Kisber.

House Bill No. 1351 -- Taxes, Real Property -- Clarifies that payment in full of property tax by delinquency date is not a condition of eligibility for tax relief; permits director of division of property assessments to waive deadline for good cause. Amends TCA Section 67-5-701. by *Kisber.

House Bill No. 1352 -- County Officers -- Makes temporary citizen commission of government officials compensation permanent; removes February 1, 1995 deadline for filing of commission's report and recommendations to general assembly. Amends TCA Title 5, Chapter 6; Title 8, Title 18, Title 54, Chapter 7 and Title 67, Chapter 1, Part 5. by *Kisber.

House Bill No. 1353 -- Trousdale County -- Subject to local approval, authorizes county clerk to verify compliance with county zoning ordinance prior to issuing business licenses. by *Bell.

House Bill No. 1354 -- Juvenile Offenders -- Allow juvenile court to require juvenile offenders to attend alternative school. Amends TCA Title 37, Chapter 1 and Title 49, Chapter 6. by *Phelan, *Cole (Dyer), *Rinks, *McKee, *Westmoreland.

House Bill No. 1355 -- School Districts, Special -- Excludes from calculation used to reduce special school district taxes levied for bond interest and repayment, any portion of bond fund arising from sales tax or other sources than special school district tax. Amends TCA Title 49, Chapter 3, Part 10. by *Bell.

House Bill No. 1356 -- Police -- Revises standards and procedures by which police officers may be investigated. Amends TCA Title 38, Chapter 8, Part 3. by *Odom.

House Bill No. 1357 -- Sentencing -- Requires administrators of local jails to publish method by which jail calculates service of hour, day or month for persons serving criminal sentence on non continuous days; provides that first 48 hours of any sentence that may be served on non-consecutive days must be served hour for hour. Amends TCA Title 40, Chapter 35. by *Buck.

***House Bill No. 1358** -- Tort Liability -- Enacts "Tennessee Comparative Fault Act." by *Buck.

House Bill No. 1359 -- Financial Disclosure -- Establishes civil penalties for election candidates who distort campaign finance statements of other political candidates. Amends TCA Title 2, Chapter 10, Part 1. by *Bragg.

House Bill No. 1360 -- Motor Vehicles -- Increases allowable width of houseboats from 16 to 18 feet for lawful transportation over highways. Amends TCA Title 55, Chapter 7. by *Rinks, *Phelan.

***House Bill No. 1361** -- Custody and Support -- Permits department of human services to supersede federal guidelines in assessing child support amounts. Amends TCA Title 36, Chapter 5. by *Williams(Williamson), *Robinson.

House Bill No. 1362 -- Children -- Permits juvenile court and circuit or chancery court to transfer cases involving interests of juvenile that were filed in both courts to one of such courts having concurrent jurisdiction of matter for consolidated trial; allows such courts to transfer cases involving termination of parental rights between courts. Amends TCA Section 37-1-104. by *Walley.

House Bill No. 1363 -- Emergency Communications Districts -- Authorizes Claiborne County Emergency Communications District to expend funds for road signs. Amends TCA Section 7-86-127. by *Williams (Union).

House Bill No. 1364 -- Pensions and Retirement Benefits -- Authorizes TCRS members in Claiborne County to purchase prior service and pay county's liability as well as member payment. Amends TCA Section 8-35-236. by *Williams (Union).

House Bill No. 1365 -- Constitutional Conventions -- Call constitutional conventions relative to lotteries. by *Kernell.

House Bill No. 1366 -- Trousdale County -- Subject to local approval, authorizes legislative body to appoint chairman pro tempore or chairman of legislative body to temporarily act as county executive if county executive files notice that he will be temporarily unable to perform his duties. by *Bell.

House Bill No. 1367 -- Codes -- Allows late payment of re certification fee by building inspectors for 90 rather than 60 days Amends TCA Title 68, Chapter 120, Part 1. by *Bell.

House Bill No. 1368 -- Marriage -- Requires applicants for marriage licenses to submit proof of tests for syphilis infection and HIV. Amends TCA Title 36, Chapter 3. by *Haley, *Clabough, *Shirley, *Bird, *Joyce, *Byrd, *Jones U (Shelby), *Langster, *Bowers, *Beavers, *Brooks, *Walley.

House Bill No. 1369 -- Alcoholic Beverages - Redefines "club" under liquor by the drink law to include for profit golf courses in Blount County. Amends TCA 57-4-102. Amends TCA 57-4-102(4)(E). by *Turner (Shelby), *Kent, *Cole (Dyer).

House Bill No. 1370 -- Appropriations -- Appropriates \$200,000 to fund pre construction costs of central library, Memphis. CAVEAT: Statutorily required appropriation language does not appear in caption. by *Turner (Shelby), *Miller, *Bowers, *DeBerry L, *Chumney.

House Bill No. 1371 -- Annexation -- Requires municipalities, which desire to annex territory by means of annexation ordinance adopted by municipality upon own initiative, to first prepare, adopt, and publish two year comprehensive plan identifying all such annexations proposed by municipality in two year period addressed by plan. Amends TCA Title 6, Chapter 51, Part 1. by *Boyer.

House Bill No. 1372 -- Marriage -- Authorizes former governors and speakers of house of representatives and senate to solemnize marriages. Amends TCA Section 36-3-301. by *Purcell, *Ridgeway, *Hargrove, *Rinks, *Chumney, *Bittle, *McDaniel, *Rhinehart.

House Bill No. 1373 -- Election Laws -- Establishes qualifying deadline for candidates for county offices in presidential election years. Amends TCA Section 2-5-101 and Section 2-13-203. by *Purcell, *Ridgeway, *Hargrove, *Rinks, *Chumney, *DeBerry L.

House Bill No. 1374 -- Election Laws -- Requires county election commission to submit voter registration reports to state coordinator of elections; removes first class mail requirement on voter change of address forms; establishes separate closing time for voter registration for each separate election. Amends TCA 2-2-106, 109, 2-12-114. by *Purcell, *DeBerry L, *Ridgeway, *Hargrove.

House Bill No. 1375 -- Election Laws -- Authorizes state election coordinator to establish voting procedures for voter who has changed residence address. Amends TCA 2-2-106. by *Purcell, *Ridgeway, *Hargrove, *Rinks, *Chumney, *DeBerry L.

House Bill No. 1376 -- Election Laws -- Removes requirement of ballot envelopes for early voting ballots; requires publication of sample ballot before early voting period. Amends TCA 2-5-211, 2-6-101, 105, 108, 109, 111; 2-6-304. by *Purcell, *Ridgeway, *Hargrove, *Rinks, *Chumney, *DeBerry L.

House Bill No. 1377 -- General Assembly -- Authorizes either speaker to direct comptroller to assist office of legislative administration. Amends TCA Title 3. by *Purcell.

House Bill No. 1378 -- Public Defenders -- Authorizes 17 new assistant public defender positions Amends TCA Title 8, Chapter 14. by *Purcell, *Hargrove, *Cole (Carter), *Buck, *Rinks, *Chumney, *Fowlkes, *Armstrong, *Jackson, *White.

House Bill No. 1379 -- Corporations -- Permits certain filing requirements relative to LLCs to be filed in office of registrar of deeds; permits such registrar to charge fees for filing. Amends TCA Title 48, Chapters 201 through 248. by *Purcell, *Hargrove.

House Bill No. 1380 -- Education -- Restricts policy of state in education of handicapped children to comply with federal law requirements. Amends TCA 49-10-101. by *Davis, *Huskey, *Roach.

House Bill No. 1381 -- Criminal Procedure -- Prohibits release of person on pretrial release program unless person is indigent, has no prior convictions, is resident of county operating program or contiguous county and arrested for misdemeanor offense. Amends TCA Title 40. by *Lewis.

House Bill No. 1382 -- Hospitals and Health Care Facilities -- Exempts from sales and use taxes sale or lease of tangible personal property to for-profit hospitals and nursing homes. Amends TCA Title 67, Chapter 6. by *Lewis.

House Bill No. 1383 -- Crime, Victims of -- Specifies that victims of offenses against person have right to receive restitution from criminal offender. Amends TCA Title 40, Chapter 38. by *McKee, *Gunnels, *Roach, *Phelan, *Kerr, *Clabough, *Boyer, *Sharp, *Wood.

House Bill No. 1384 -- Corporations, Not for Profit -- Requires payments to board members of medical and hospital service plans for professional services to be reported to secretary of state, such reports to be maintained for three years. Amends TCA Title 48 and Title 56. by *DeBerry J.

House Bill No. 1385 -- Hazardous Materials -- Establishes voluntary cleanup oversight and assistance program. Amends TCA Title 68, Chapter 212. by *DeBerry J.

House Bill No. 1386 -- Hospitals and Health Care Facilities -- Authorizes homes for the aged to have ward for persons diagnosed with Alzheimer's disease or with mental disorder; restricts such wards to persons who are not bedridden. Bedridden patients with Alzheimer's or with mental disorder must be transferred to hospital or nursing home. Amends TCA Title 68, Chapter 11, Part 2. by *Phillips.

House Bill No. 1387 -- Taxes, Privilege -- Removes \$200 occupation privilege tax from brokers and dealers in securities.

Amends TCA Title 67, Chapter 4, Part 17; Title 48, Chapter 2. by *Bittle.

***House Bill No. 1388** -- Housing -- Declares all housing projects property owned by corporate agent of housing authority deemed property of authority and subject to its control. Amends TCA Section 13-20-104. by *Armstrong.

House Bill No. 1389 -- Physicians and Surgeons -- Regulates physician employment contracts. Amends TCA 636-204, 63-6-225; Title 65, Chapter 11. by *Hargrove.

***House Bill No. 1390** -- Highways, Roads and Bridges -- Establishes procedure for closing county road. Amends TCA Title 54, Chapter 10, Part 2. by *Hargrove.

House Bill No. 1391 -- Judges and Chancellors -- Deletes provision that allows parties in civil case to select lawyer to preside over case where regular judge or chancellor is incompetent. Amends TCA Title 17, Chapter 2. by *McDonald.

House Bill No. 1392 -- Municipal Government -- Adds extra election for commissioner under transition provision so that no commissioner's term will be extended without election-at-large. Amends TCA Section 6-20-101. by *Beavers.

House Bill No. 1393 -- Criminal Offenses -- Redefines "fetus" for purposes of fetal homicide and fetal assault based on combined presence of heart beat and brain wave activity rather than viability. Amends TCA 39-13-107, 214. by *Beavers, *Peach, *McDaniel, *Pinion, *Stamps, *Dunn, *Ford, *Sharp, *Halteman Harwell, *Joyce, *Burchett, *Newton, *Haley, *Shirley, *Clabough, *Hassell, *Ritchie, *Curtiss.

House Bill No. 1394 -- Constitutional Conventions -- Calls constitutional convention relative to county government and establishment of counties; method for proposing amendments to constitution, and lotteries. by *Kernell.

House Bill No. 1395 -- Corporations -- Revises purposes and eligibility requirements as to professional limited liability companies. Amends TCA Title 48, Chapters 201 through 248. by *Purcell.

House Bill No. 1396 -- Physicians and Surgeons -- Authorizes physicians to use medical abbreviations in advertisements. Amends TCA Title 63, Chapter 6, Part 2 and Title 68, Chapter 11, Part 2. by *Purcell.

House Bill No. 1397 -- Motor Vehicles -- Requires department of safety to report to local board of education conviction of traffic offense, other than parking violation, by school bus drivers; such conviction to be grounds for dismissal or termination of employment contract. Amends TCA Title 55. by *Cole (Dyer).

House Bill No. 1398 -- Insurance, Motor Vehicles -- Extends time insurance company has to notify automobile liability policyholder that such company does not intend to renew policy, from 30 to 45 days. Amends TCA Title 56. by *Phelan.

House Bill No. 1399 -- Insurance, Motor Vehicles -- Enacts "Tennessee Uninsured Motorist Act of 1995." Amends TCA Title 56, Chapter 7, Part 12. by *Buck.

House Bill No. 1400 -- State Employees -- Requires salaries of state employees be adjusted each July 1 to reflect any increase in cost of living as determined by the consumer price index; authorizes a one-step salary increase for each career service state employee whose job performance is satisfactory. Amends TCA Section 8-30-214. by *Head, *Kisber, *Jones U (Shelby), *Armstrong, *DeBerry L, *McKee, *Williams (Union), *Halteman Harwell, *McDaniel, *West, *Huskey, *Kent, *Bowers, *Roach, *Odom.

House Bill No. 1401 -- Pensions and Retirement Benefits -- Deletes termination date of June 30, 1995 for determining increases in annual earnable compensation for members covered by noncontributory provisions of TCRS. Amends TCA Section 8-34-101(4)(B)(i). by *Rhinehart, *Jones U (Shelby), *Kisber, *Armstrong, *McDaniel, *Williams (Union), *West, *Huskey, *Kent, *Bowers, *McKee, *Roach, *Odom.

House Bill No. 1402 -- Taxes, Privilege -- Authorizes state agencies and entities to pay occupational privilege tax for their employees subject to tax. Amends TCA Title 67, Chapter 4, Part 17. by *McDaniel, *Ridgeway, *Armstrong, *DeBerry L, *Halteman Harwell, *Williams (Union), *West, *Huskey, *Kent, *Bowers, *McKee, *Roach, *Odom.

House Bill No. 1403 -- State Employees -- Authorizes three paid days of bereavement leave for death of grandparent or grandchild. Amends TCA Section 8-50-113(a). by *Rinks, *Jones U (Shelby), *Ridgeway, *Armstrong, *DeBerry L, *Williams (Union), *Halteman Harwell, *West, *Huskey, *Kent, *Bowers, *McKee, *Roach, *Odom.

House Bill No. 1404 -- Pensions and Retirement Benefits -- Authorizes state insurance committee to pay 80 percent toward cost of supplemental medical insurance for participating retirees with 30 or more years of service. Amends TCA Section 8-27-702(b)(1). by *Rinks, *Kisber, *Jones U (Shelby), *Armstrong, *Halteman Harwell, *McKee, *McDaniel, *West, *Kent, *Huskey, *Bowers, *Roach, *Odom.

House Bill No. 1405 -- State Employees -- Authorizes state insurance committee to pay on behalf of retirees participating in the basic health insurance plan the same percentage paid by the employing agency for active state employees participating in the state group basic health insurance plan. Amends TCA Section 8-27-205. by *Kisber, *Jones U (Shelby), *Armstrong, *West, *Huskey, *Kent, *Bowers, *McKee, *Roach, *Odom.

House Bill No. 1406 -- Juvenile Offenders -- Enacts "Child Curfew Act of 1995" for Shelby County. by *Jones U (Shelby), *Bowers, *Towns.

House Bill No. 1407 -- Cemeteries -- Purports to amend annual report requirements of cemetery companies and audit requirements; however, makes no substantive change in the law. Amends TCA. by *Jones U (Shelby), *Towns, *Armstrong.

House Bill No. 1408 -- Telecommunications -- Requires companies providing cellular phone service to notify consumers at least 20 days before expiration of contract. Amends TCA Title 65. by *Jones U (Shelby), *Bowers, *Towns.

***House Bill No. 1409** -- Cemeteries -- Purports to amend sentences regarding cemetery improvement care trust funds by replacing the word "shall" with "required"; however, this results in nonsensical sentence. Amends TCA Title 46, Chapter 2, Part 3. by *Jones U (Shelby).

House Bill No. 1410 -- Hotels and Restaurants -- Raises rates that hotels may charge for use of their telephones from 25 to 26 percent. Amends TCA Title 62, Chapter 7, and Title 65. by *Jones U (Shelby), *Bowers, *Towns.

House Bill No. 1411 -- Public Funds and Financing -- Makes financial institution under supervision of office of thrift supervision state depository. Amends TCA Title 9, Chapter 4. by *Bragg.

***House Bill No. 1412** -- Taxes, Sales -- Exempts Olympic housing from sales tax when housing is provided by not-for-profit entity for competition or practice events. Amends TCA Section 67-6-329. by *Newton, *Bird, *Gunnels, *McKee.

***House Bill No. 1413** -- Motor Vehicles, Titling and Registration -- Deletes obsolete language requiring commissioner to reissue new registration plates commencing January 1, 1988, and each fifth anniversary date thereafter. Amends TCA Title 55, Chapter 4. by *Newton.

House Bill No. 1414 -- Election Laws -- Prohibits election of trial judges by party primary. Amends TCA Title 2, Chapter 13, Part 2. by *Chumney.

House Bill No. 1415 -- Civil Procedure -- Makes owner of residential property guilty of nuisance if owner has knowledge that nuisance is being conducted but fails to take action to abate nuisance, including evicting tenants who are using, occupying, establishing or conducting nuisance or aiding or abetting therein. Amends TCA Title 29. by *Chumney, *Eckles, *DeBerry J, *Buck, *Stamps.

House Bill No. 1416 -- Custody and Support -- Enumerates factors to be considered in determining child custody; requires court to grant non custodial parent adequate visitation to maintain parent-child relationship. Amends TCA Title 36, Chapter 6. by *Chumney.

House Bill No. 1417 -- Criminal Offenses -- Prohibits ticket scalping for admission to public events. Amends TCA Title 39, Chapter 17, Part 11. by *Chumney, *DeBerry L, *Buck.

House Bill No. 1418 -- Taxes, Franchise -- Exempts from tax actual value of inventory of corporation engaged in delivery or distribution of goods when inventory is stored or brought to rest in warehouses or storage facilities located in state. Amends TCA Section 67-4-906. by *Miller, *Jones U (Shelby).

House Bill No. 1419 -- General Assembly, Studies -- Creates special joint committee to study integration of ex-offenders into society. by *DeBerry J, *Miller, *Jones R (Shelby), *DeBerry L.

House Bill No. 1420 -- Civil Procedure -- Permits violator of municipal ordinance to perform community service rather than to pay monetary fine or fee. Amends TCA Title 40, Chapter 24, Part 1. by *Towns, *Jones U (Shelby).

House Bill No. 1421 -- Appropriations -- Appropriates \$5 million to fund construction of light rail line between central business district and medical center area, Memphis. CAVEAT: Statutorily required appropriation language does not appear in caption. by *Jones U (Shelby), *Miller, *Turner (Shelby), *DeBerry L, *Bowers, *Chumney.

House Bill No. 1422 -- Appropriations -- Appropriates \$9 million to fund pre construction and construction costs of North Second Street project, Memphis. CAVEAT: Statutorily required appropriation language does not appear in caption. by *Jones U (Shelby), *Miller, *Bowers, *Turner (Shelby), *DeBerry L, *Chumney.

House Bill No. 1423 -- Education -- Extends truancy and attendance provisions to children between ages five and seven, whose parent or guardian has entered them in school or kindergarten. Amends TCA Section 49-6-3007. by *Towns.

House Bill No. 1424 -- Planning, Public -- Enacts "Tennessee Comprehensive Health, Safety, and Environmental Planning Act of 1995," which declares comparative risk evaluation to be policy of state. by *Westmoreland.

House Bill No. 1425 -- Appropriations -- Appropriates \$9 million to fund pre construction and construction costs for Midtown Interchange project, Memphis. CAVEAT: Statutorily required appropriation language does not appear in caption. by *Bowers, *Turner (Shelby), *DeBerry L.

House Bill No. 1426 -- Appropriations -- Appropriates \$5 million for pre construction costs of fixed guideway transit facility between fairgrounds and Collierville, Shelby County. CAVEAT: Statutorily required appropriation language does not appear in caption. by *Bowers, *Turner (Shelby), *DeBerry L.

House Bill No. 1427 -- Planning, Public -- Authorizes municipalities to provide funding for neighborhood revitalization efforts, including mortgage credit certification programs. Amends TCA Title 13. by *Bowers.

House Bill No. 1428 -- Custody and Support -- Enacts "Parental Responsibility Act." Amends TCA Title 8 and Title 49. by *Bowers, *Brooks, *Brown.

House Bill No. 1429 -- Housing -- Provides for financing of housing for low income persons with disabilities or low income elderly or handicapped person. Amends TCA Section 67-5-207. by *Bowers.

House Bill No. 1430 -- Housing -- Provides for financing of housing for low income persons with disabilities or low income elderly or handicapped person. Amends TCA Section 67-5-207. by *Bowers.

House Bill No. 1431 -- Housing -- Enacts "Homeless Shelter Trust Fund Act of 1995." Amends TCA Title 13, Chapter 23. by *Bowers.

House Bill No. 1432 -- Emergency Communications Districts -- Prohibits termination of 911 emergency service for nonpayment or delinquent service charge. Amends TCA Title 7, Chapter 86, Part 1. by *Bowers.

House Bill No. 1433 -- Public Defenders -- Makes requirement that any increase in local funding to district attorneys' office include 75 percent increase in public defenders' office apply only to funding for positions and not office expense. Amends TCA Section 16-2-518. by *Dunn.

House Bill No. 1434 -- County Government -- Authorizes counties with charter form of government to issue citations in lieu of arrest for traffic and county ordinance violations; authorizes such counties to enter into agreement with district attorney general of county to prosecute ordinance violations in such county. Amends TCA Title 7, Chapter 63 and Title 8, Chapter 7. by *Boyer, *Dunn, *Burchett, *Bittle, *Tindell, *Ritchie.

House Bill No. 1435 -- TennCare -- Creates administrative department for TennCare; places department under supervision of commissioner of TennCare to be appointed by and serve at will of governor. Amends TCA Title 4; Title 56; Title 67 and Title 71. by *Williams (Williamson).

House Bill No. 1436 -- Taxes -- Revises law concerning taxes on services. Amends TCA Title 33, Chapter 2; Titles 63, 67, 68; Title 71, Chapter 5. by *Givens.

House Bill No. 1437 -- Child Abuse -- Adds youth service organizations to those groups that may subject employees or volunteers to background checks; adds youth protection training option. Amends TCA Sections 37-1-414 and Section 38-6-114. by *Williams (Williamson).

House Bill No. 1438 -- TennCare -- Requires, instead of authorizes, commissioner of health to adopt rules to establish procedures not necessarily in accordance with UAPA for review of appeals from denials of claims for medical assistance where claim is less than \$1,000; present law amount is \$500. Amends TCA Title 56, Title 67 and Title 71. by *Williams (Williamson).

House Bill No. 1439 -- Motor Vehicles -- Exempts from axle weight limitation trucks hauling agricultural limestone. Amends TCA Title 55, Chapter 7, Part 2. by *Roach, *Patton.

House Bill No. 1440 -- School Transportation -- Requires seat belts on school buses. Amends TCA Title 49, Chapter 6, Part 21. by *Dunn.

House Bill No. 1441 -- Election Laws -- Specifies documents required to be filed by date or time, must be prominently marked in red ink with date and time. Amends TCA Title 2, Chapter 1. by *Jones U (Shelby), *Bowers, *Towns.

House Bill No. 1442 -- Shelby County -- Subject to local approval, repeals child curfew law. Repeals Chapter 164, Private Acts of 1969. by *Jones U (Shelby), *Bowers, *Towns.

***House Bill No. 1443** -- Economic and Community Development -- Provides for merger and consolidation of two or more local neighborhood development corporations by means of petition submitted to Tennessee neighborhood development corporation board of directors. Amends Title 13, Chapter 13, Part 1. by *Jones U (Shelby), *Bowers, *Towns.

House Bill No. 1444 -- Licenses -- Requires owners of adult oriented establishments to maintain records of criminal convictions for prior five years of entertainers. Amends TCA Section 4-29-218; Section 39-13-511 and Title 62. by *Jones U (Shelby), *Miller.

House Bill No. 1445 -- Motor Vehicles -- Creates Class B misdemeanor of permitting immediate family member to drive without driver license; authorizes impoundment of vehicle of person who drives on suspended or revoked license.. Amends TCA Title 55, Chapter 4 and Title 55, Chapter 50. by *Brooks, *Miller, *Jones R (Shelby), *Turner (Shelby), *DeBerry L, *Towns.

House Bill No. 1446 -- Alcoholic Beverages -- Allows restaurants, hotels, and motels serving meals to serve alcoholic beverages from 11:00 A.M. to Noon on Sundays to persons seated at a table, having ordered a meal where alcoholic beverage is included in price of meal. Amends TCA 57-4-203. by *Jones U (Shelby), *Towns.

House Bill No. 1447 -- Education -- Directs state board of education to revise BEP. Amends TCA Title 49, Chapter 3. by *Jones U (Shelby), *DeBerry J, *Miller, *Towns.

House Bill No. 1448 -- Education -- Requires that BEP include funds for LEA capital needs and for all state or federally mandated testing. Amends TCA Title 49, Chapter 3. by *Jones U (Shelby), *DeBerry J, *Miller, *Towns.

***House Bill No. 1449** -- Political Parties -- Requires approval of both political party county executive committees to have primary election for county office; requires political party to pay for election cost if only one party desires primary. Amends TCA Title 2, Chapter 13, Part 2. Amends TCA Title 2, Chapter 13, Part 2. by *Jones U (Shelby).

House Bill No. 1450 -- Pardons and Paroles -- Increases from three to five number of days parole board has to notify sheriff of release of person convicted of kidnapping in sheriff's county. Amends TCA Title 40 and Title 41. by *Kisber, *Towns.

House Bill No. 1451 -- Alcoholic Beverages -- Permits sale of imported malt beverages in kegs with capacity between 13 and 14 gallons. Amends TCA 576-104(I). by *Jones U (Shelby), *Towns, *Miller, *Jones R (Shelby), *Turner (Shelby), *Bowers.

***House Bill No. 1452** -- Tennessee Arts Commission -- Requires arts funding through Tennessee Arts Commission in Shelby, Davidson, Knox, and Hamilton counties to be distributed equally among such counties. Amends TCA Title 4, Chapter 20, Part 1. by *Stulce.

House Bill No. 1453 -- Food and Food Products -- Revises requirement that food service establishment inspection report from be available to public to requiring that report be posted. Amends TCA Section 68-14-317(d). by *Stulce.

House Bill No. 1454 -- Hospitals and Health Care Facilities -- Includes clinics operated under authority of local or regional health departments in definition of "hospital" under Medical Records Act of 1974 Amends TCA Section 68-11-302(4). by *Stulce.

House Bill No. 1455 -- Autopsies -- Authorizes county medical examiner to perform autopsy on body in cases involving homicide, suspected homicide, suicide, or suspicious death. Amends TCA Title 38, Chapter 7. by *Stulce.

House Bill No. 1456 -- DUI/DWI Offenses -- Authorizes 32 hours of supervised public service work as addition or alternative to minimum sentence for first time DUI offenders. Amends TCA Title 55, Chapter 10, Part 4. by *Stulce.

House Bill No. 1457 -- Driver Licenses -- Reduces jail time and fine for driving without a license; reduces penalty from Class B to Class C misdemeanor; allows community service instead of fine. Amends TCA Section 55-50-504. by *Towns, *Bowers, *Brown, *DeBerry L, *Turner (Shelby).

House Bill No. 1458 -- Aged Persons -- Penalizes low income elderly persons delinquent in property taxes at lower rate and sets interest at lower rate of accrual. Amends TCA Title 67, Chapter 5. by *Towns, *Jones U (Shelby), *Miller, *Brooks.

House Bill No. 1459 -- Firearms and Ammunition -- Adds armor piercing bullets, bullets with metal fragments designed to detonate upon impact and bullets designed to change shape upon entry to types of firearm ammunition unlawful to sell or manufacture. Amends TCA Title 39, Chapter 17, Part 13. by *Towns, *Bowers, *Brown, *DeBerry, *Turner, *DeBerry, *Brooks.

House Bill No. 1460 -- Custody and Support -- Requires court to seek alternative methods to incarceration for delinquent child support obligors, including placing a lien on obligor's check; if unemployed, require obligor to participate in job referral program; and require obligor to exercise visitation privileges. Amends TCA Section 36-5-104. by *Towns, *Bowers, *DeBerry L, *DeBerry J, *Turner (Shelby), *Brooks.

House Bill No. 1461 -- Election Laws -- Allows person eligible for restoration of citizenship rights to certify to county registrar as to status. Amends TCA Section 40-29-105. by *Towns, *Bowers, *Turner (Shelby), *DeBerry J, *Brooks, *Towns.

House Bill No. 1462 -- Correctional Programs -- Creates pilot program for reduction of violence in prisons and jails by use of

surveillance technology. Amends TCA Title 41, Chapter 1, Part 1. by *Towns, *Bowers, *DeBerry L, *Turner (Shelby), *Brooks.

House Bill No. 1463 -- Constitutional Conventions -- Calls constitutional convention concerning state and county officials, county boundaries and lotteries. by *Kernell.

House Bill No. 1464 -- Managed Care Organizations -- Extends time period for yearly assessment of members of Tennessee comprehensive health insurance pool to be due and payable from 30 to 45 days. Amends TCA Title 56 and Title 71. by *Rhinehart.

House Bill No. 1465 -- Managed Care Organizations -- Extends time period for yearly assessment of members of Tennessee comprehensive health insurance pool to be due and payable from 30 to 45 days. Amends TCA Title 56. by *Rhinehart.

House Bill No. 1466 -- Managed Care Organizations -- Extends time period for yearly assessment of members of Tennessee comprehensive health insurance pool to be due and payable from 30 to 60 days. Amends TCA Title 56. by *Rhinehart.

House Bill No. 1467 -- Workers' Compensation -- Requires review and approval by commissioner of commerce and insurance before employer can be placed in workers' compensation assigned risk pool. Amends TCA Section 56-5-314. by *West.

House Bill No. 1468 -- TennCare -- Creates TennCare Formulary Oversight Committee to advise TennCare Bureau on prescription drug services by MCOs to patients. Amends TCA Title 3 and Title 71. by *Chumney, *Langster, *Bowers, *Eckles, *Turner (Hamilton), *Pruitt, *McMillan, *Brown, *DeBerry J, *Towns, *Turner (Shelby), *Armstrong.

House Bill No. 1469 -- Marriage -- Authorizes judge to order that support payments made pursuant to order of protection or court approved consent agreement be made under income assignment. Amends TCA Title 36, Chapter 3, Part 6. by *Chumney, *Jones, S, *Langster, *Bowers, *Eckles, *Williams (Williamson), *McMillan, *Brown, *Turner (Hamilton), *Odum, *DeBerry J, *Westmoreland, *Stamps, *Buck, *Herron, *Kernell, *Pruitt, *Curtiss.

House Bill No. 1470 -- Health -- Creates Center of Excellence for Women's Health at UT Memphis Health Sciences Center; mission is to conduct clinical and statistical research and identify and recommend preventative and other early detection and intervention medical procedures for women's health issues. Amends TCA Title 49. by *Chumney, *Bowers, *DeBerry L, *Byrd, *DeBerry J, *Hassell, *Kernell.

House Bill No. 1471 -- University of Tennessee -- Establishes chair of excellence for women's health at University of Tennessee Memphis. Amends TCA Title 49, Chapter 7, Part 5. by *Chumney.

***House Bill No. 1472** -- Education -- Establishes pilot project to develop youth leadership in Memphis Shelby County. by *Chumney, *Bowers, *Byrd, *DeBerry L, *DeBerry J, *Towns, *Jones U (Shelby), *Haley, *Kernell, *Joyce.

House Bill No. 1473 -- Hospitals and Health Care Facilities -- Requires department of health to create part time nursing home/care

ombudsmen positions for certain purposes; revises certain requirements relative to personnel and licensure; revises minimum fees for assessing civil penalties. Amends TCA Title 68. by *Chumney, *Langster, *Jones S, *Bowers, *Eckles, *Pruitt, *DeBerry J, *Turner (Shelby), *Jones U (Shelby), *Byrd, *Jones R (Shelby), *Miller, *Towns, *Kernell, *Turner (Hamilton).

House Bill No. 1474 -- Licenses -- Enacts "Massage Registration Act of 1995." Amends TCA Title 63, Chapter 18, Part 1. by *Chumney, *Bowers, *DeBerry L, *Pinion, *DeBerry J, *Wood, *Hassell, *Joyce.

House Bill No. 1475 -- TennCare -- Prohibits MCO contracting with state under TennCare program from requiring pregnant patient to first visit primary care physician for referral to ob/gyn. Amends TCA Title 71, Chapter 5. by *Chumney, *Jones S, *Langster, *Bowers, *DeBerry L, *Byrd, *Brown, *McMillan, *DeBerry J, *Towns, *Pruitt.

House Bill No. 1476 -- Taxes, Sales -- Removes sales tax from baby food, formula, milk and bread. Amends TCA Title 67, Chapter 6, Part 3. by *Chumney, *Langster, *Jones S, *Eckles, *Brown, *Brooks, *Byrd, *Windle, *DeBerry J, *Williams (Williamson), *Towns, *Jones R (Shelby), *Pruitt, *Herron, *Turner (Shelby), *Armstrong.

House Bill No. 1477 -- Criminal Offenses -- Creates offense of hazing; requires each higher education institution to adopt written policy prohibiting hazing. Amends TCA Title 39, Chapter 13, Part 1. by *Halteman Harwell, *Ritchie, *Pinion, *Wood, *Burchett, *Langster, *West, *Newton, *Kernell, *Brooks, *Jones U (Shelby), *Brown, *DeBerry L, *DeBerry J, *Miller, *Bowers, *Turner (Shelby), *Pruitt, *Peach, *Joyce, *McDaniel, *Bittle.

House Bill No. 1478 -- Audiologists and Speech Pathologists -- Combines board for licensing hearing aid dispensers with board of speech pathology and audiology. Amends TCA Title 63, Chapters 15, 17. by *Kernell, *Kent.

House Bill No. 1479 -- Public Service Commission -- Prohibits candidates for PSC from accepting contributions for primary or general elections from regulated businesses. Amends TCA Section 3-6-112. by *Kisber, *Tindell, *Hassell, *Bragg, *Winningham, *Rhinehart, *Byrd, *Pinion, *Odom, *Turner (Hamilton), *Cole (Carter), *Venable, *DeBerry L, *Turner (Shelby), *Miller, *Eckles, *Burchett, *McMillan.

House Bill No. 1480 -- Public Service Commission -- Creates civil service system for public service commission. Amends TCA Title 8, Chapter 30; 65-1-106, 111. by *Bragg, *Tindell, *Kisber, *Jones U (Shelby), *Winningham, *Jones R (Shelby), *Pinion, *Byrd, *Purcell, *Hargrove, *Odom, *Turner (Hamilton), *Cole (Carter), *Rhinehart, *Venable, *DeBerry L, *Turner (Shelby), *Miller, *Eckles, *McMillan.

House Bill No. 1481 -- Driver Licenses -- Makes permanent the provisions (TCA 5550-511 -- 514) for revoking driver licenses of minors who withdraw from secondary school. Amends Chapter 819 of the Public Acts of 1990. by *Winningham.

House Bill No. 1482 -- Insurance, Health, Accident -- Changes time period for response from utilization review agents to calls recorded during times other than normal business hours from two

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working days to 24 hours. Amends TCA Title 56, Chapter 6, Part 7. by *Herron.

House Bill No. 1483 -- TennCare -- Authorizes former state employees to join TennCare when COBRA benefits are exhausted. Amends TCA Title 8, Chapter 27; Title 12, Chapter 3; Titles 56, 68, 71. by *Herron.

House Bill No. 1484 -- Insurance, Health, Accident -- Increases from 25 to 35 maximum number of eligible employees to define "small employer" for purposes of coverage under Tennessee Small Employer Group Health Coverage Reform Act. Amends TCA Title 56, Chapter 7, Part 22. by *Williams (Williamson).

House Bill No. 1485 -- Appropriations -- Appropriates \$5.5 million to Tennessee arts commission, with grant of \$1.5 million to Memphis arts council. CAVEAT: Statutorily required appropriation language does not appear in caption. by *Windle.

House Bill No. 1486 -- Highways, Roads and Bridges -- Enacts "Tennessee Scenic Byways Program of 1995." Amends TCA Title 54, Chapter 17. by *Davis.

House Bill No. 1487 -- Attorney General and Reporter -- Permits attorney general to appoint outside counsel to represent state employees who are sued in course of employment; permits compensation of outside counsel when state employee is charged criminally in course of employment. Amends TCA Title 8, Chapter 42. by *McMillan.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:

***Senate Bill No. 26** -- Hospitals and Health Care Facilities -- Requires nonresidential methadone treatment facility to obtain certificate of need. Amends TCA Title 68, Chapter 11, Part 1. by *Holcomb, Wallace, Crowe.

***Senate Bill No. 41** -- Traffic Safety - Creates offense of transporting child under age of 12 in back of pick-up truck, except in parades or for agricultural purposes; offense is Class C misdemeanor. Amends TCA Title 55, Chapter 8, Part 1. by *Cooper.

***Senate Bill No. 49** -- Motor Vehicles, Titling and Registration - Allows for issuance of special license plates depicting Tennessee walking horse. Amends TCA Title 55, Chapter 4. by *Womack, *Kyle.

***Senate Bill No. 52** -- Motor Vehicles, Titling and Registration - Permits alumnus of Auburn University to purchase special license plate displaying Auburn logo and colors. Amends TCA Title 55, Chapter 4. by *Womack.

HOUSE BILLS ON SECOND CONSIDERATION

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On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

*House Bill No. 1116 -- Tort Liability -- House Judiciary Committee

House Bill No. 1117 -- Tennessee Higher Education Commission -
- House Education Committee

House Bill No. 1118 -- Education, Higher -- House Education Committee

House Bill No. 1119 -- Judicial Officers -- House Judiciary Committee

House Bill No. 1120 -- Board of Regents -- House Education Committee

House Bill No. 1121 -- Sentencing -- House Judiciary Committee

House Bill No. 1122 -- Correction, Dept. of -- House Judiciary Committee

House Bill No. 1123 -- Election Laws -- House State and Local Government Committee

House Bill No. 1124 -- Election Laws -- House State and Local Government Committee

House Bill No. 1125 -- Motor Vehicles, Titling and Registration
-- House Transportation Committee

House Bill No. 1126 -- Interior Designers -- House Commerce Committee

House Bill No. 1127 -- Taxes -- House Commerce Committee

*House Bill No. 1128 -- Museums -- House State and Local Government Committee

House Bill No. 1129 -- Apportionment, Legislative -- House State and Local Government Committee

*House Bill No. 1130 -- Highway Signs -- House Transportation Committee

House Bill No. 1131 -- Gordonsville -- Local Bill Held on House Desk

*House Bill No. 1132 -- TennCare -- House Commerce Committee

House Bill No. 1133 -- Financial Disclosure -- House State and Local Government Committee

*House Bill No. 1134 -- Land, Agricultural and Open Spaces -- House State and Local Government Committee

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House Bill No. 1135 -- Williamson County -- Local Bill Held on House Desk

House Bill No. 1136 -- Pharmacy -- House Health and Human Resources Committee

House Bill No. 1137 -- Lobbying, Lobbyists -- House State and Local Government Committee

House Bill No. 1138 -- Utilities, Utility Districts -- House State and Local Government Committee

*House Bill No. 1139 -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 1140 -- Pensions and Retirement Benefits -- House State and Local Government Committee

House Bill No. 1141 -- Education -- House Education Committee
*House Bill No. 1142 -- DUI/DWI Offenses -- House State and Local Government Committee

House Bill No. 1143 -- Constitutional Conventions -- House State and Local Government Committee

House Bill No. 1144 -- Constitutional Conventions -- House State and Local Government Committee

*House Bill No. 1145 -- Custody and Support -- House State and Local Government Committee

*House Bill No. 1146 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1147 -- Chiropractors -- House Health and Human Resources Committee

*House Bill No. 1148 -- Highway Signs -- House Transportation Committee

House Bill No. 1149 -- Tort Liability -- House Judiciary Committee

House Bill No. 1150 -- Medical Occupations -- House Health and Human Resources Committee

House Bill No. 1151 -- Public Contracts -- House State and Local Government Committee

House Bill No. 1152 -- Public Contracts -- House State and Local Government Committee

House Bill No. 1153 -- Health, Dept. of -- House Health and Human Resources Committee

House Bill No. 1154 -- Labor -- House Consumer and Employees Affairs Committee

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House Bill No. 1155 -- Consumer Protection -- House Consumer and Employees Affairs Committee

House Bill No. 1156 -- Unemployment Compensation -- House Consumer and Employees Affairs Committee

House Bill No. 1157 -- Teachers -- House Education Committee

House Bill No. 1158 -- Alcoholic Offenses -- House State and Local Government Committee

House Bill No. 1159 -- Juvenile Offenders -- House Government Operations Committee

*House Bill No. 1160 -- Taxes, Sales -- House Finance, Ways and Means Committee

House Bill No. 1161 -- General Assembly -- House State and Local Government Committee

House Bill No. 1162 -- Surveyors -- House Commerce Committee

House Bill No. 1163 -- Railroads -- House Transportation Committee

House Bill No. 1164 -- Railroads -- House Transportation Committee

House Bill No. 1165 -- Railroads -- House Transportation Committee

House Bill No. 1166 -- Tort Liability -- House Judiciary Committee

House Bill No. 1167 -- Fire Prevention and Investigation -- House State and Local Government Committee

House Bill No. 1168 -- Television, Cable -- House Commerce Committee

House Bill No. 1169 -- Telecommunications -- House Commerce Committee

House Bill No. 1170 -- Tort Liability -- House Judiciary Committee

House Bill No. 1171 -- Civil Procedure -- House Judiciary Committee

House Bill No. 1172 -- Education -- House Education Committee

House Bill No. 1173 -- Public Buildings -- House State and Local Government Committee

House Bill No. 1174 -- Sumner County -- Local Bill Held on House Desk

House Bill No. 1175 -- Taxes, Assessment -- House State and Local Government Committee

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House Bill No. 1176 -- Employees, Employers -- House Consumer and Employees Affairs Committee

House Bill No. 1177 -- Mortgages -- House Commerce Committee

House Bill No. 1178 -- Insurance, Life -- House Commerce Committee

House Bill No. 1179 -- Insurance Companies, Agents, Brokers -- House Commerce Committee

*House Bill No. 1180 -- Industrial Development -- House Commerce Committee

House Bill No. 1181 -- Correctional Programs -- House State and Local Government Committee

House Bill No. 1182 -- Regional Authorities -- House State and Local Government Committee

House Bill No. 1183 -- Gambling -- House State and Local Government Committee

House Bill No. 1184 -- Gambling -- House State and Local Government Committee

House Bill No. 1185 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 1186 -- Appropriations -- House Transportation Committee

House Bill No. 1187 -- Fire Prevention and Investigation -- House Commerce Committee

House Bill No. 1188 -- Alcoholic Beverages -- House State and Local Government Committee

*House Bill No. 1189 -- Highway Signs -- House Transportation Committee

House Bill No. 1190 -- County Government -- House State and Local Government Committee

House Bill No. 1191 -- County Government -- House State and Local Government Committee

House Bill No. 1192 -- Public Funds and Financing -- House State and Local Government Committee

House Bill No. 1193 -- Salaries and Benefits -- House Consumer and Employees Affairs Committee

*House Bill No. 1194 -- Juvenile Offenders -- House Judiciary Committee

*House Bill No. 1195 -- Health -- House Health and Human Resources Committee

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*House Bill No. 1196 -- Children -- House Health and Human Resources Committee

*House Bill No. 1197 -- Taxes, Sales -- House Finance, Ways and Means Committee

House Bill No. 1198 -- Education, Higher -- House Education Committee

*House Bill No. 1199 -- Human Rights -- House Education Committee

House Bill No. 1200 -- Evidence -- House Judiciary Committee

House Bill No. 1201 -- Regional Authorities -- House State and Local Government Committee

House Bill No. 1202 -- Taxes, Privilege -- House Finance, Ways and Means Committee

*House Bill No. 1203 -- Juries and Jurors -- House Judiciary Committee

House Bill No. 1204 -- Education -- House Education Committee

House Bill No. 1205 -- Education -- House Education Committee

House Bill No. 1206 -- Teachers -- House Education Committee

House Bill No. 1207 -- Pensions and Retirement Benefits -- House Education Committee

House Bill No. 1208 -- House Education Committee

House Bill No. 1209 -- Education -- House Consumer and Employees Affairs Committee

House Bill No. 1210 -- Education -- House Education Committee

House Bill No. 1211 -- Education -- House Education Committee

House Bill No. 1212 -- Medicaid and Medicare -- House Commerce Committee

*House Bill No. 1213 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 1214 -- Children, Employment of -- House Consumer and Employees Affairs Committee

*House Bill No. 1215 -- Education -- House Education Committee

House Bill No. 1216 -- Teachers -- House Education Committee

House Bill No. 1217 -- Insurance, Health, Accident -- Caption Bill Held on House Desk

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House Bill No. 1218 -- Insurance, Health, Accident -- Caption
Bill Held on House Desk
House Bill No. 1219 -- Sentencing -- House Judiciary
Committee

*House Bill No. 1220 -- Probation -- House Judiciary
Committee

House Bill No. 1221 -- Interest Rates -- House Commerce
Committee

House Bill No. 1222 -- Marriage -- House Judiciary Committee

*House Bill No. 1223 -- Smoking -- House Agriculture Committee

House Bill No. 1224 -- Public Printing -- House State and
Local Government Committee

House Bill No. 1225 -- Fire Prevention and Investigation --
House Commerce Committee

House Bill No. 1226 -- Education, Higher -- House Education
Committee

House Bill No. 1227 -- AIDS -- House Health and Human
Resources Committee

House Bill No. 1228 -- Education -- House Education Committee

House Bill No. 1229 -- Tennessee Foundation Program -- House
Education Committee

House Bill No. 1230 -- Health, Dept. of -- House Government
Operations Committee

House Bill No. 1231 -- Children -- House State and Local
Government Committee

House Bill No. 1232 -- Education, Dept. of -- House Education
Committee

CONSENT CALENDAR

House Resolution No. 14 -- Memorials, Sports -- Coach Dennis
Roach, State Representative. by *Williams (Union).

House Joint Resolution No. 75 -- Memorials, Academic
Achievement -- Jennifer Santoro, Rhodes Scholar. by *Head, *McMillan.

House Joint Resolution No. 76 -- Memorials, Public Service --
Avon Williams Rollins, Sr. by *Armstrong, *DeBerry J, *Miller,
*DeBerry L, *Towns, *Jones R (Shelby), *Langster, *Brooks, *Bowers,
*Jones U (Shelby), *Pruitt, *Turner (Shelby), *Brown.

House Joint Resolution No. 77 -- Memorials, Academic
Achievement --- Debra Joyce, recipient of national collegiate
education award. by *Armstrong, *Pruitt, *Turner (Shelby), *Miller,
*Towns, *Bowers, *Jones U (Shelby), *Ritchie.

House Joint Resolution No. 79 -- Memorials, Death -- Ralph J. Harris. by *Fowlkes.

House Joint Resolution No. 86 -- Memorials, Public Service - Honors WSMV-TV of Nashville for "Unlicensed to Kill" series on enforcement of DUI laws. by *Robinson.

House Joint Resolution No. 87 -- Memorials, Professional Achievement - Donald E. Smart. by *DeBerry L.

Without objection, **Senate Joint Resolution No. 41** was placed on the printed Consent Calendar.

Senate Joint Resolution No. 41 -- Naming and Designating -- "Tennessee Women Work Week," February 19-25, 1995. by *Henry, *Harper, *Womack, *Kyle, *Dixon, *Cohen.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2 -- Codifies Public Acts of 1994. by *Purcell.

On motion, House Bill No. 2 was made to conform with **Senate Bill No. 1**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 1 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Purcell moved that **Senate Bill No. 1** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Joint Resolution No. 72 -- Memorials, Public Service -- Joe B. Huddleston, Commissioner of Revenue. by *Kisber

Further consideration of House Joint Resolution No. 72, previously considered on February 15, 1995, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Kisber moved adoption of House Joint Resolution No. 72 and that all members voting aye be added as sponsors, which motion prevailed.

Rep. McAfee moved the previous question, which motion prevailed.

Rep. Kisber renewed his motion for adoption of **House Joint Resolution No. 72**, which motion prevailed by the following vote:

Ayes.	94
Noes.	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel,

McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Peach --1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Eckles moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 96 out of order, which motion prevailed.

House Joint Resolution No. 96 -- Naming and Designating - "Junior League Day," February 21, 1995. by *Eckles.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Eckles, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 95 out of order, which motion prevailed.

House Joint Resolution No. 95 --- General Assembly, Adjournment, Recess - Provides for recess on Thursday, February 16, 1995, to reconvene on February 22, 1995. by *Purcell, *Davis.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Turner (Shelby), **House Bill No. 1369** was withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 85: Rep(s). Towns as prime sponsor(s).

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House Bill No. 14: Rep(s). Sharp and Haley as prime sponsor(s).

House Bill No. 107: Rep(s). Sharp, West, Haley, Bird, and Hassell as prime sponsor(s).

House Bill No. 389: Rep(s). Ridgeway as prime sponsor(s).

House Bill No. 795: Rep(s). Fowlkes, Coffey, Boyer, and Williams (Union) as prime sponsor(s).

House Bill No. 1006: Rep(s). Herron as prime sponsor(s).

**REPORT OF CHIEF ENGROSSING CLERK
February 16, 1995**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 63.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 16, 1995**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 58; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS
February 16, 1995**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 95.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 16, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 5 ; also, House Joint Resolution(s) No(s). 27, 36, 37, 38, 40, 45, 46, 48, 49, 51, 52, 55, 57, 59, 60, 63 and 73; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
February 16, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 120, 247, 250 and 251; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 120 -- Naming and Designating - Redesignates landscaped top surface area of Legislative Plaza embracing area once contained within Victory Park as "War Memorial Plaza"; directs department of general services in cooperation with legislative building facilities manager to erect suitable markers or affix suitable signs. by *Henry, *Harper, *Womack.**

***Senate Bill No. 247** -- County Officers - Permits any county official authorized to file salary lawsuit to use letter of agreement whether or not the official's office operates under fee system. Amends TCA 8-20-101(c). by *Rochelle.

***Senate Bill No. 250** -- County Officers - Revises duties of register. Amends TCA Sections 4-31-707, 8-13-108, 66-11-142 and 68-221-408. by *Rochelle.

***Senate Bill No. 251** -- Municipal Government - Revises law concerning municipal government. Amends TCA 6-1-201, 203, 205; 6-2-201; 6-4-302; 6-18-103, 106; 6-19-101; 6-20-215; 6-21-108, 502; 6-22-124; 6-30-106. by *Rochelle.

**ENGROSSED BILLS
February 16, 1995**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 72, 75, 76, 77, 79, 86, 87 and 96.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
February 16, 1995**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 5; also House Joint Resolution(s) No(s). 27, 36, 37, 38, 40, 45, 46, 48, 49, 51, 52, 55, 57, 59, 60, and 73.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
February 16, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 63; with his approval.

HARDY MAYS, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR
February 16, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 31, 32, 33, 34 and 35; with his approval.

HARDY MAYS, Counsel to the Governor.

**ENROLLED BILLS
February 16, 1995**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 58; also, House Resolution(s) No(s). 14.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
February 16, 1995

The Speaker signed the following: House Joint Resolution(s) No(s). 58; also House Resolution(s) No(s). 14.
BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98
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Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, February 22, 1995.